

REMARKS

CLAIM OBJECTIONS

Claims 29-32 are objected to because of a typographical error in the claim number. The Applicant herein amends the claim numbers for claims 29-32, and therefore, the objection is mooted.

35 USC §102

Claims 1, 10-12, 18 and 27-29 are rejected under 35 USC §102(b) as being anticipated by both Allman et al (US 5100503).

Claims 1-13 and 18-29 are rejected under 35 USC §102(e) as being anticipated by both Kennedy et al (US 6506497).

The Applicant respectfully disagrees with both, especially in view of the amendments presented herein.

Claim 1 recites:

“A sacrificial coating material comprising:

at least one inorganic compound, and

at least one material modification agent, wherein the sacrificial coating material is transparent and dissolvable in an alkaline-based chemistry or a fluorine-based chemistry.” (emphasis added)

Claim 18 recites:

“A method of producing a sacrificial coating material, comprising:

providing at least one inorganic compound,

providing at least one material modification agent,

combining the at least one inorganic compound with the at least one material modification agent to form the sacrificial coating material, wherein the sacrificial coating material is transparent and dissolvable in an alkaline-based chemistry or a fluorine-based chemistry.” (emphasis added)

Neither Allman nor Kennedy teach all of the claimed elements of the present application. “Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Assocs. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983) (citing *Soundsciber Corp. v. United States*, 360 F.2d 954, 148 USPQ 298, 301 (Ct. Cl.), *adopted*, 149 USPQ 640 (Ct. Cl. 1966)) Further, the prior art reference must disclose each element of the claimed invention **“arranged as in the claim”**. *Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)(citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). Neither Allman nor Kennedy teach transparent sacrificial coating materials comprising the materials disclosed in the claims or teach the methods of producing the same. Based on this argument, neither Allman nor Kennedy anticipate claim 1 or claim 18 of the present application because Allman and Kennedy are lacking and/or missing at least one specific feature or structural recitation found in the present application, and in claims 1 and 18. Claim 1 and 18 are therefore allowable as not being anticipated by either Allman or Kennedy. Further, neither Allman nor Kennedy anticipate claims 2-13 and 19-29 of the present application by virtue of their dependency on claims 1 and 18.

35 USC §103

Claims 14-17, 31 and 32 are rejected under 35 USC §103(a) as being unpatentable over Allman in view of Hussein et al (US 6365529). The Applicant disagrees, especially in view of the amendments presented herein.

Claim 1 recites:

“A sacrificial coating material comprising:
at least one inorganic compound, and
at least one material modification agent, wherein the sacrificial coating material is transparent and dissolvable in an alkaline-based chemistry or a fluorine-based chemistry.” (emphasis added)

Claim 18 recites:

“A method of producing a sacrificial coating material, comprising:
providing at least one inorganic compound,
providing at least one material modification agent,
combining the at least one inorganic compound with the at least one material modification agent to form the sacrificial coating material, wherein the sacrificial coating material is transparent and dissolvable in an alkaline-based chemistry or a fluorine-based chemistry.” (emphasis added)

As already discussed, the current claims are patentable over Allman, because Allman does not disclose the use of transparent materials, but instead discloses utilizing dyed

materials. The Hussein reference does not cure this obvious defect in Allman, even after reviewing Column 6, lines 18-41, as the Examiner suggests. Hussein actually teaches against using transparent materials in Column 6, lines 18-24 by suggesting that they “adversely affect the ability to control CDs and their uniformity.” Hussein then goes on to disclose dyed materials and their use. Therefore, one of ordinary skill in the art of sacrificial materials would not read Allman and Hussein and consider them to be motivating references to form the claims provided in the current application. Given that the present application is patentable over Allman, the present application is also patentable over Hussein, since Hussein does not teach to, suggest to or motivate one of ordinary skill in the art to produce transparent sacrificial materials comprising the components in claims 1 and using the methods of claim 18. Claims 1 and 18 are therefore allowable as being patentable over Allman in view of Hussein. In addition, claims 14-17, 31 and 32 are allowable as being patentable over Allman in view of Kole by virtue of their dependency on claims 1 and 18.

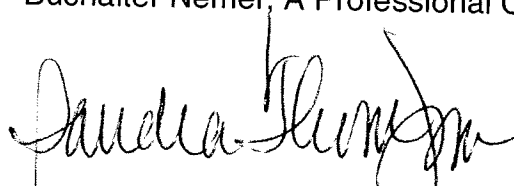
REQUEST FOR ALLOWANCE

Claims 1-32 are pending in this application and the Applicant respectfully requests that the Examiner reconsider the claims in light of the arguments presented and allow all pending claims.

Respectfully submitted,
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